



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2006-807
July 11, 2006

Secretary of State

Frankfort
Kentucky

**RELATING TO BANNING SMOKING
IN OFFICE BUILDINGS AND COMMON AREAS OCCUPIED BY
EXECUTIVE BRANCH EMPLOYEES**

WHEREAS, the United States Surgeon General has concluded that smoking is a principal cause for lung cancer and can cause coronary heart disease and stroke; and

WHEREAS, the United States Surgeon General has concluded that cigarette smoking is a contributing factor to cancer of the bladder, pancreas, and kidney, and is associated with cancer of the stomach and uterine cervix; and

WHEREAS, the United States Department of Health and Human Services has estimated that smoking costs society more than 50 billion dollars annually in direct medical costs; and

WHEREAS, the Centers for Disease Control and Prevention estimates that tobacco smoking is responsible for more than 400,000 deaths each year in the United States; and

WHEREAS, the Centers for Disease Control and Prevention estimates that tobacco smoking is responsible for approximately 7,691 deaths per year in the Commonwealth of Kentucky; and

WHEREAS, the National Institute for Occupational Safety and Health has determined that the collective weight of evidence is sufficient to conclude that environmental tobacco smoke (ETS) exposure poses an increased risk of lung cancer and possibly heart disease to occupationally exposed workers; and

WHEREAS, the United States Environmental Protection Agency has determined that substantial scientific evidence exists to establish ETS as one of only 23 known human carcinogens in the environment; and

WHEREAS, the United States Environmental Protection Agency concluded that ETS is a human lung carcinogen, responsible for approximately 3,000 lung cancer deaths annually in U.S. nonsmokers; and

WHEREAS, the National Institute for Occupational Safety and Health and the American Society of Heating, Refrigerating and Air-Conditioning Engineers have concluded that, at present, the only means of effectively eliminating ETS from the workplace is to prohibit smoking in the workplace; and

WHEREAS, the United States Surgeon General has determined that exposure to ETS can be a cause of disease, including lung cancer, in healthy nonsmokers; and

WHEREAS, the United States Surgeon General has determined that the simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to ETS; and



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WHEREAS, it is the duty of the Governor to protect the health, safety and welfare of the citizens and the employees of the Commonwealth of Kentucky;

NOW THEREFORE, I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, under the authority vested in me by the Kentucky Constitution, Sections 69 and 81, and House Bill 55 that was passed by the General Assembly in the 2006 Session, do hereby **ORDER** and **DIRECT** the following:

- I. Smoking shall be prohibited in office buildings and common areas occupied by Executive Branch employees.
- II. This Executive Order shall not apply to offices occupied by judicial and legislative branch employees, constitutional officers and staff or the state's only maximum-security corrections facility, Kentucky State Penitentiary at Eddyville.
- III. The Finance and Administrative Cabinet and all other affected agencies shall undergo all steps necessary to effectuate this order.

This order is effective August 1, 2006.



ERNIE FLETCHER
Commonwealth of Kentucky



TREY GRAYSON
Secretary of State

RECEIVED AND FILED

DATE 7/11/06

TREY GRAYSON

SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY

BY R. J. Heller